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Approved for use through 7/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-875

Application or Docket Number

10/644253

CLAIMS AS FILED - PART I

| FOR | (Column 1) | NUMBER FILED | (Column 2) | NUMBER EXTRA |
|---|------------|--------------|------------|--------------|
| BASIC FEE (37 CFR 1.16(a)) | | | | |
| TOTAL CLAIMS (37 CFR 1.16(c)) | | 2/ | minus 20 = | 1 |
| INDEPENDENT CLAIMS (37 CFR 1.16(b)) | | 1 | minus 3 = | |
| MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d)) | | | | |

* If the difference in column 1 is less than zero, enter "0" in column 2.

SMALL ENTITY

| RATE | FEE |
|----------|--------|
| | \$ 375 |
| X \$ 9 = | 9 |
| X \$ = | |
| + \$ = | |
| TOTAL | 384 |

OR

OTHER THAN SMALL ENTITY

| RATE | FEE |
|--------|-----|
| | \$ |
| X \$ = | |
| X \$ = | |
| + \$ = | |
| TOTAL | |

CLAIMS AS AMENDED - PART II

| AMENDMENT A | (Column 1) | CLAIMS REMAINING AFTER AMENDMENT | (Column 2) | HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) | PRESENT EXTRA |
|---|------------|----------------------------------|------------|------------------------------------|------------|---------------|
| | 12/24/5 | | | | | |
| Total (37 CFR 1.16(c)) | | 63 | Minus | 21 | = | 42 |
| Independent (37 CFR 1.16(b)) | | 4 | Minus | 3 | = | 1 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | | | | |

SMALL ENTITY

| RATE | ADDITIONAL FEE |
|-----------------|----------------|
| | |
| X \$ 25 = | 1050 |
| X \$ 100 = | 100 |
| + \$ = | |
| TOTAL ADD'L FEE | 1150 |

OR

OTHER THAN SMALL ENTITY

| RATE | ADDITIONAL FEE |
|-----------------|----------------|
| | |
| X \$ = | |
| X \$ = | |
| + \$ = | |
| TOTAL ADD'L FEE | |

| AMENDMENT B | (Column 1) | CLAIMS REMAINING AFTER AMENDMENT | (Column 2) | HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) | PRESENT EXTRA |
|---|------------|----------------------------------|------------|------------------------------------|------------|---------------|
| | 3/29/6 | | | | | |
| Total (37 CFR 1.16(c)) | | 49 | Minus | 63 | = | 0 |
| Independent (37 CFR 1.16(b)) | | 3 | Minus | 4 | = | 0 |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | | | | |

| RATE | ADDITIONAL FEE |
|-----------------|----------------|
| | |
| X \$ = | |
| X \$ = | |
| + \$ = | |
| TOTAL ADD'L FEE | |

OR

| RATE | ADDITIONAL FEE |
|-----------------|----------------|
| | |
| X \$ = | |
| X \$ = | |
| + \$ = | |
| TOTAL ADD'L FEE | |

| AMENDMENT C | (Column 1) | CLAIMS REMAINING AFTER AMENDMENT | (Column 2) | HIGHEST NUMBER PREVIOUSLY PAID FOR | (Column 3) | PRESENT EXTRA |
|---|------------|----------------------------------|------------|------------------------------------|------------|---------------|
| | | | | | | |
| Total (37 CFR 1.16(c)) | | | Minus | | = | |
| Independent (37 CFR 1.16(b)) | | | Minus | | = | |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) | | | | | | |

| RATE | ADDITIONAL FEE |
|-----------------|----------------|
| | |
| X \$ = | |
| X \$ = | |
| + \$ = | |
| TOTAL ADD'L FEE | |

OR

| RATE | ADDITIONAL FEE |
|-----------------|----------------|
| | |
| X \$ = | |
| X \$ = | |
| + \$ = | |
| TOTAL ADD'L FEE | |

- * If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

Fee Chg.

PTO/SB/25 (10-00)

Approved for use through 10/31/2002. OMB 0861-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)

CULLN-001B

In re Application of: MARK CULLEN

Application No.: 10/644,255

Filed: AUGUST 20, 2003

For: TREATMENT OF CRUDE OIL FRACTIONS, FOSSIL FUELS & PRODUCTS THEREOF

The owner*, MARK CULLEN, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/429,369, filed on 05/05/2003, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.


Signature

3/20/06
Date

MATTHEW A. NEWBOLES

Typed or printed name

- ☐ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/98 may be used for making this statement. See MPEP § 324.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PAGE 12/12 * RCVD AT 3/20/2006 7:44:36 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/41 * DHIS:2738300 * CSID:9498551246 * DURATION (mm:ss):05-02

03/23/2006 DFLDYD 00000001 194330 10644255

01 FC:2814

65.00 DA

Reply under 37 CFR 1.116 – Expedited Procedure – Technology Center 1764
Application No.: 10/644,255
Response to Office Action of March 14, 2006
Attorney Docket: CULLN-001B

Conclusion

By the present Amendment, Applicant has merely canceled Claims 22-39 and submitted three (3) Terminal Disclaimers in compliance with 37 CFR § 1.321(c). As such, Applicant respectfully submits that the present Amendment is in full compliance with 37 CFR § 1.116(b) by placing the rejected claims in better form for consideration on appeal. Accordingly, Applicant requests that the present Amendment be entered.

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: 3/20/06

By:



Customer No.: 007663

Matthew A. Newboles
Registration No. 36,224
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*Fee
Chg.*

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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173, of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.


Signature

3/24/06
Date

MATTHEW A. NEWBOLES

Typed or printed name

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Form PTO/SB/35 may be used for making this statement. See MPEP § 324.

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03/23/2006 DFLOYD 00000001 194330 10 644255
03 FC:2814 65.00 DA

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*Fee
ok*

PTO/SB/25 (10-00)

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